

McK:W.

Department of Justice

Bureau of Investigation

62-5033

P. O. Box 1535,
Oklahoma City, Oklahoma.
Jan. 19th, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention Division Two.

Dear Sir:-

Reference is had to my night letter dated January 18th, 1927, advising that Special Assistant to the Attorney General Edwin Brown had requested my assistance in effecting the apprehension of John Mayo, an inmate of the Kansas State Penitentiary who escaped from the County Jail, Tulsa, Oklahoma, on the 16th instant, where he was being held by the State pending his appearance as a witness in the State Court in certain Osage murder cases still remaining to be tried.

Mayo was brought to Oklahoma sometime ago at the request of Mr. Brown, to be used as a witness in the Osage murder cases in the Federal and State Courts. He testified before the Grand Jury at Guthrie which returned the Hale-Ramsey indictment, but was not used in the trial of these men. Since the Hale-Ramsey trial at Oklahoma City, October last, Mayo has been confined in jail at Tulsa, pending trial of the State cases against Hale and Ramsey for the murder of W. E. Smith and against Byron Burkhart and Kelsey Morrison for the murder of Anna Brown.

In view of the assistance rendered the Federal Government by Mayo, I will thank you to advise whether or not I am authorized to comply with Mr. Brown's request.

This letter is in confirmation of my night letter, above referred to.

Yours very truly,

JAN 25 1927

RECORDED & INDEXED

Clarence D. McKean
Clarence D. McKean,
Special Agent in Charge.

62-5033-483

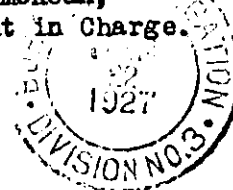
BUREAU OF INVESTIGATION

JAN 21 1927 P. M.

DEPARTMENT OF JUSTICE

Div. Two

Div. Three



2420

THIS CASE ORIGINATED AT OKLAHOMA CITY, OKLA.

REPORT MADE AT: Detroit, Mich.	DATE WHEN MADE: 1/22/27	PERIOD FOR WHICH MADE: 1/21/27	REPORT MADE BY: J. T. McLaughlin
TITLE: X JOHN MAYO (Formerly reported Maxo)			CHARACTER OF CASE: ESCAPED STATE PRISONER WHO WAS BEING HELD AS A FEDERAL WITNESS

SYNOPSIS OF FACTS:

Mail and premises at 139 W. Canfield Ave., Detroit, Mich., were covered when telegram was received stating that subject was apprehended at Tulsa, Okla.

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN;
NO FURTHER ACTION HERE.

62-5033

DETAILS:

This report is based upon the following quoted telegram received from the Oklahoma City Office and dated Jan. 19, 1927:

"JOHN (MAXO) MAYO ABOUT 30 YEARS, 5 FEET 10 IN. 140 LBS LIGHT HAIR BLUE EYES PRISONER KANSAS STATE PENITENTIARY ESCAPED TULSA COUNTY JAIL JANUARY 17TH WHERE BEING HELD AS WITNESS OSAGE MURDER CASE STOP MOTHER SADIE (MAXO) MAYO LIVES 139 WEST CANFIELD STREET DETROIT APARTMENT 22 STOP BROTHER ROY A GAMBLER AND SISTER DOROTHY LIVE SAME ADDRESS STOP COVER MAIL AND PREMISES TO LOCATE SUBJECT STOP SUBJECT A KILLER STOP DIRECTOR AUTHORIZES"

Letter carrier and janitor at 139 W. Canfield St. were cooperating with Agent in efforts to locate subject when the following quoted telegram was received,

DETAILS:

"REFERENCE MY WIRE NINETEENTH JOHN MAYO APPREHENDED TULSA"

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN;
NO FURTHER ACTION HERE.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>Bliss Norton, actg.</i> SPECIAL AGENT IN CHARGE	62-5033-484	RECORDED AND INDEXED: JAN 24 1927
WASHINGTON REFERENCE: #2	COPIES OF THIS REPORT FURNISHED TO: 2- Director 2- Oklahoma City 1- Detroit	CHECKED OFF: JAN 31 1927
	ROUTED TO: <i>Div. 4</i>	JACKETED:
	DEPARTMENT OF JUSTICE	

GOVERNMENT PRINTING OFFICE

7-1123

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McK:W.
70-53-4.

Department of Justice
Bureau of Investigation

P. O. Box 1535,
Oklahoma City, Oklahoma.
January 24, 1927.

62-5033

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention; Division Two.

Dear Sir:-

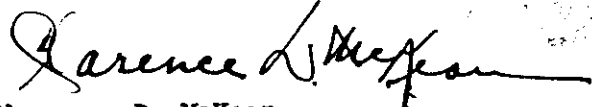
Re: Murder of Charles Whitehorn.

Enclosed herewith is copy of a letter which I have received from Mr. J. George Wright, Superintendent of the Osage Indian Agency, together with copy of a letter addressed to Mr. Wright by Mr. J. M. Humphreys, Osage Tribal Attorney.

You will recall that during the investigation of the Osage murder cases, considerable work was done in regard to the murder of Charles Whitehorn, but that work on the Whitehorn case was stopped when it was believed that there was no direct connection between his murder and the murders committed by William K. Hale, John Ramsey, Ernest Burkhart and Byron Burkhart.

Kindly advise me whether you desire this office to proceed with the investigation of the murder of Charles Whitehorn.

Yours very truly,



Clarence D. McKean,
Special Agent in Charge.

2-encl.

RECORDED & INDEXED

FEB 8 1927

McLub...
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62-5033-488
BUREAU OF INVESTIGATION
JAN 26 1927 P. M.
DEPT. OF JUSTICE
Div. Two ✓ FILE

2428

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45871-26
ESM:HG

UNITED STATES
DEPARTMENT OF THE INTERIOR
Indian Field Service

Osage Indian Agency,
Pawhuska, Oklahoma.
December 11, 1926.

Mr. Clarence McKean,
Box 1535,
Oklahoma City, Okla.

Dear Sir:

I enclose herewith memorandum from J. M. Humphreys,
Osage Tribal Attorney, relative to the murder of Charles Whitehorn,
a restricted Osage Indian, which occurred some time in May 1921.

The Tribal Attorney states in his memorandum that he
has information which in his opinion indicates that a certain
person has committed this crime and as the murdered person is an
Osage Indian and was murdered on restricted Osage Indian lands,
he states that the United States would have jurisdiction in this
matter. It is suggested, therefore, that this matter be investi-
gated by your bureau as soon as practical.

Respectfully,

J. Geo. Wright
Superintendent.

2429

Copy.

JMH:WK

Osage Indian Agency,
Pawhuska, Oklahoma.
December 7th, 1926.

MEMORANDUM:

Hon. J. George Wright,
Superintendent Osage Agency.

IN RE: Chas. Whitehorn Murder.

Dear Mr. Wright:

Frank Smith and John Burger, Special Agent of the Department of Justice, are in my office at this time, and I have taken up with them the matter of the murder of Charles Whitehorn, full blood Osage Indian, and I referred them to you.

It appears that Charles Whitehorn was murdered four or five years ago on what is designated as a restricted Indian Allotment; the Charles P. Dial Allotment near Pawhuska, Oklahoma.

I have information, which in my opinion, indicates that a certain person has committed this crime, this being an Osage Indian, and the land, in my opinion, being restricted land, the United States would have jurisdiction over this murder.

The murder of Charles Whitehorn was cold blooded and deliberate. I believe that Frank Smith and John Burger, above named, have some data, and perhaps sufficient data in their possession to begin this investigation and I believe that they can, in due time, find sufficient evidence to convict the murderer of Charles Whitehorn, Osage full-blood Indian.

I recommend that steps be taken to investigate the Murder of Charles Whitehorn, Osage Allottee, by the United States Authorities.

Respectfully submitted,

Osage Tribal Attorney.

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HE:DSB

62-5033-488

FEB 2 1927

January 31, 1927.

MEMORANDUM FOR MR. LUMBING.

I am transmitting, attached hereto, copy of a communication from the Bureau's Agent in Charge at Oklahoma City, to which is attached copy of a letter received from the Superintendent of the Osage Indian Agency, and copy of a letter addressed to the latter individual by J. M. Humphreys, Osage Tribal Attorney.

Will you please advise me as to whether or not you care to authorize the initiation of investigative work with a view to determining those guilty of the murder of Charles Whitehorn, who, it was stated, was murdered on restricted Osage Indian lands.

Very truly yours,

Director.

Inc. 20179.

BUREAU FILES DIVISION
MAILED
JAN 31 1927
P. M.
DEPT. OF JUSTICE

20179

THIS CASE ORIGINATED AT Oklahoma City, Okla.

REPORT MADE AT: Oklahoma City, Okla.	DATE WHEN MADE: 1-24-27	PERIOD FOR WHICH MADE: 1/18-21/27	REPORT MADE BY: Clarence D. McKean
TITLE: JOHN MAYO		CHARACTER OF CASE: Escaped State Prisoner who was being held as a Federal Witness.	

SYNOPSIS OF FACTS:

(O. C. #62-103-13)

- Beginning Investigation -

Request received from Special Assistant to the Attorney General Brown to assist in the apprehension of Subject. Authority to comply with request received from Director. Detroit office asked to cover mail and home of Subject's relatives in Detroit. Subject apprehended at Tulsa by Sheriff's force of Tulsa County.

- CLOSED -

62-5033

DETAILS:-

- At Oklahoma City, Oklahoma -

On January 18th, 1927, a request was received from Edwin Brown, Special Assistant to the Attorney General, to assist in effecting the apprehension of John Mayo, the above named Subject, an inmate of the Kansas State penitentiary who escaped from the County Jail at Tulsa, Oklahoma, on January 16th, 1927, where he was being held by the State pending his appearance as a witness in the State Court in certain Osage murder cases still remaining to be tried.

The authority to make the requested investigation was asked of the Director, and same was received on the 19th. Whereupon I communicated with Special Agent J.V. Murphy, at Tulsa, Oklahoma, and ascertained that Subject has a mother, named Sadie ~~McKean~~ Mayo, residing at 139 West Canfield St., Detroit, Michigan, Apartment #22; also a brother, Roy, and a sister, Dorothy, living at the same address. This information was wired to the Detroit office with request that appropriate steps be taken to cover the mail and premises of the aforesaid relatives. On January 21st, I was advised of the apprehension of Mayo, just outside of Tulsa, by the Sheriff's force of Tulsa County, which information was at once communicated to the Detroit office.

- CLOSED -

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>Ed Murphy</i>	SPECIAL AGENT IN CHARGE	62-5033-486	RECORDED AND INDEXED JAN 28 1927
WASHINGTON REFERENCE: # 2	COPIES OF THIS REPORT FURNISHED TO: 2-Bureau 1-Detroit 2-Okla. City	BUREAU OF INVESTIGATION JAN 20 1927 P.M. DEPARTMENT OF JUSTICE	CHECKED OFF: FEB 2 1927 JACKETED:
		ROUTED TO: Two	FILE <i>[Signature]</i>

GOVERNMENT PRINTING OFFICE

7-1222

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Department of Justice

Bureau of Investigation

P. O. Box 1535,
Oklahoma City, Oklahoma,
Jan. 25, 1927.

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Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

ATTENTION DIVISION NO. 1.

Dear Sir:

In pursuance to your code telegram of even date, I am today communicating with John Leahy, Assistant to the Attorney General, requesting to be advised when it will be convenient for him to see me for the purpose of discussing the nature of the investigative work desired by him in connection with the Osage Indian cases.

Very truly yours,

Clarence D. McKean
Clarence D. McKean,
Special Agent in Charge.

62-5033

RECORDED

JAN 29 1927

62-5033-487

BUREAU OF INVESTIGATION	
JAN 27 1927 P. M.	
F. A.	ICE
One	Two

2433

JEH:MO'S

January 22, 1927.

62-5033

PERSONAL AND
CONFIDENTIAL

Mr. C. D. McKean,
P. O. Box 1535,
Oklahoma City, Okla.

Dear Mr. McKean:-

With reference to the escape of
John Kayer from the custody of the State
authorities at Tulsa, Oklahoma, about which
you wired me and whom you were authorized
to assist in endeavoring to apprehend, I
wish that you would ascertain for me what
Kayer was doing at Tulsa. I am particularly
desirous of ascertaining upon whose request
he had been taken to Tulsa.

Very truly yours,

Director.

RECORDED & INDEXED

488

62-5033-488
BUREAU OF INVESTIGATION
JAN 27 1927
DEPARTMENT OF JUSTICE

[Handwritten signature]

BUREAU FILES DIVISION
MAILED
JAN 22 1927
P. M.
DEPT. OF JUSTICE

QU34

McK:W.
62-103-15.

Department of Justice
Bureau of Investigation

P. O. Box 1535,
Oklahoma City, Oklahoma.
Jan. 25th, 1927.

Mr. J. Edgar Hoover,
Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Personal and Confidential.

Dear Mr. Hoover:-

I beg to acknowledge receipt of your letter of the 22nd instant, requesting information concerning the commitment of John Mayo to the Tulsa County Jail, Tulsa, Oklahoma.

In order to furnish you with accurate data concerning this matter, it will be necessary for me to confer with Special Assistant to the Attorney General Edwin Brown, and, in view of your marking your letter "Personal and Confidential", I did not deem it advisable to take it up with Mr. Brown without first getting your approval.

Will you please advise me at your convenience whether you care for me to get the information requested in the above manner.

Yours very truly,

Clarence D. McKean
Clarence D. McKean,
Special Agent in Charge.

62-5033-489

BUREAU OF INVESTIGATION

FEB 1 1927

DEPARTMENT OF JUSTICE

One

FILE

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1-29-27
J. J.

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52: 08

62-5033-489

January 29, 1927

FEB 2 1927

RECORDED & INDEXED

62-5033

Mr. C. D. McKean,

P. O. Box 1535,

Oklahoma City, Okla.

Dear Mr. McKean:-

I am in receipt of your communication of the 25th instant, relative to the request which I made to ascertain information concerning the presence of John Mayo in Tulsa, Oklahoma. I have no objection to your inquiring of Special Assistant to the Attorney General Brown about this matter.

Very truly yours,

Director.

JH

[Handwritten flourish]

BUREAU FILES DIVISION
MAILED
JAN 29 1927
P. M.
DEPT. OF JUSTICE

2436

From
Assistant Attorney General Luhning

to

Official indicated below by check mark

2

Memorandum

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- 1
- 2 Attorney General _____
- 3 Solicitor General _____
- 4 Assistant to Attorney General _____
- 5 Assistant Attorney General Galloway _____
- 6 Assistant Attorney General Marshall _____
- 7 Assistant Attorney General Willebrandt _____
- 8 Assistant Attorney General Letts _____
- 9 Assistant Attorney General Parmenter _____
- 0 Director, Bureau of Investigation _____
- 1 Superintendent of Prisons _____
- 2 Mr. Pagan _____
- 3 Mr. Finch _____
- 4 Mr. Baldwin _____
- 5 Mr. Sornborger _____
- 6 Mr. Robb _____
- 7 Mr. Ridgely _____
- 8 Mr. Parrish _____
- 9 Mr. Wixson _____
- 0 Mr. Fisher _____
- 1 Mr. Ramsey _____
- 2 Mrs. Story _____
- 3 Mr. Chase _____

2-1-27.
I talked to
Mr Leahy of
Lawhusta about
this Whitson
murder a few
days ago, and
he believes and
so do I that a
proper investigation
of this matter will
result in fixing
guilt. I therefore
suggest that
Mr. Dirick Smith
and Burger be
worn on the
case

62-5033-490
BUREAU OF INVESTIGATION
FEB 2 1927
Div. Two

5033
RECORDED

Oklahoma City
2/3/27 H.M.
1 copy
FEB 2 1927

24357

Department of Justice

Bureau of Investigation

Washington, D. C.

January 31, 1927.

MEMORANDUM FOR MR. LUHRING.

I am transmitting, attached hereto, copy of a communication from the Bureau's Agent in Charge at Oklahoma City, to which is attached copy of a letter received from the Superintendent of the Osage Indian Agency, and copy of a letter addressed to the latter individual by J. M. Humphreys, Osage Tribal Attorney.

Will you please advise me as to whether or not you care to authorize the initiation of investigative work with a view to determining those guilty of the murder of Charles Whitehorn, who, it was stated, was murdered on restricted Osage Indian lands.

Very truly yours,

J. E. Hoover
Director.

Inc. 20179.

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McK:W,
70-53-4.

P. O. Box 1635,
Oklahoma City, Oklahoma
January 24, 1927

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Attention: Division Two.

Dear Sir:-

Re: Murder of Charles Whitehorn.

Enclosed herewith is copy of a letter which I have received from Mr. J. George Wright, Superintendent of the Osage Indian Agency, together with copy of a letter addressed to Mr. Wright by Mr. J. K. Humphreys, Osage Tribal Attorney.

You will recall that during the investigation of the Osage murder cases, considerable work was done in regard to the murder of Charles Whitehorn, but that work on the Whitehorn case was stopped when it was believed that there was no direct connection between his murder and the murders committed by William K. Hale, John Ramsey, Ernest Burkhart and Byron Burkhart.

Kindly advise me whether you desire this office to proceed with the investigation of the murder of Charles Whitehorn.

Yours very truly,

Clarence D. McKean,
Special Agent in Charge.

2-encl.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
Indian Field Service

Osage Indian Agency,
Pawhuska, Okla.
Dec. 11, 1926.

Mr. Clarence McKean,
Box 1535,
Oklahoma City, Okla.

Dear Sir:

I enclose herewith memorandum from J. M. Humphreys, Osage Tribal Attorney, relative to the murder of Charles Whitehorn, a restricted Osage Indian, which occurred some time in May 1921.

The Tribal Attorney states in his memorandum that he has information which in his opinion indicates that a certain person has committed this crime and as the murdered person is an Osage Indian and was murdered on restricted Osage Indian lands, he states that the United States would have jurisdiction in this matter. It is suggested, therefore, that this matter be investigated by your bureau as soon as possible.

Respectfully,

J. GEO. WRIGHT

Superintendent.

2440

COPY

Osage Indian Agency,
Pawhuska, Okla.
Dec. 17, 1926.

Hon. J. George Wright,
Supt. Osage Agency.

Dear Mr. Wright: In re: Chas. Whitehorn Murder.

Frank Smith and John Burger, Special Agents
of the Department of Justice, are in my office at this time,
and I have taken up with them the matter of the murder of
Charles Whitehorn, full blood Osage Indian, and I referred them
to you.

It appears that Charles Whitehorn was murdered four
or five years ago on what is designated as a restricted Indian
Allotment; the Charles P. Dial Allotment near Pawhuska, Okla.

I have information, which in my opinion, indicates
that a certain person has committed this crime, this being an
Osage Indian, and the land, in my opinion, being restricted
land, the United States would have jurisdiction over this
murder.

The murder of Charles Whitehorn was cold blooded
and deliberate. I believe that Frank Smith and John Burger,
above named, have some data, and perhaps sufficient data in their
possession to begin this investigation and I believe they can
in due time, find sufficient evidence to convict the murderer
of Charles Whitehorn, Osage full-blood Indian.

I recommend that steps be taken to investigate
the murder of Charles Whitehorn, Osage Allottee, by the United
States authorities.

Respectfully submitted,

OSAGE TRIBAL ATTORNEY.

2441

HN:DSS
62-6053-490

RECORDED

February 3, 1927.

FEB 5 1927

Mr. O. D. McKean,
P. O. Box 1535,
Oklahoma City, Okla.

Dear Sir:

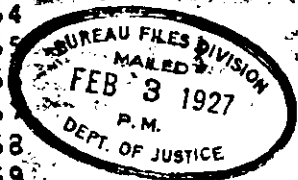
The Bureau is in receipt of your communication of January 24th., transmitting copy of a communication from Mr. J. G. Wright, Superintendent of the Osage Indian Agency, together with copy of a letter addressed to Mr. Wright by Mr. J. N. Humphreys, Osage Tribal Attorney.

This, it will be noted, refers to an investigation desired into the murder of one CHARLES WHITEHORN, on restricted Osage Indian lands.

Authorization has been secured for an investigation into the facts surrounding this alleged occurrence, and you are authorized to proceed in the usual manner.

Very truly yours,

Director.



2442

Department of Justice
TELEGRAM RECEIVED

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OKLAHOMA CITY, OKLAHOMA

FEBRUARY 3, 1927

DIRECTOR,
BUREAU OF INVESTIGATION,
DEPARTMENT OF JUSTICE,
WASHINGTON, D.C.

REGARDING OSAGE MURDER CASES STOP STATE CASE AGAINST CBYRON BURKHART SET
FOR TRIAL FEBRUARY TENTH SUBPOENA ISSUED AGENT D W SMITH STOP PLEASE WIRE
AUTHORITY SMITH TO TESTIFY

ONE McKEAN

C D

Rec'd & Decoded
7:00 P.M.
*FCG

62-5033

Mr. Luby
1/4/27

RECORDED

FEB 5 1927

62-5033-497	
BUREAU OF INVESTIGATION	
FEB 4 1927 A.M.	
DEPARTMENT OF JUSTICE	
Div. Two	FILED

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HM:GAJ
62-5033 - 497

FEB 5 1927

February 4, 1927.

MEMORANDUM FOR MR. LUHRING

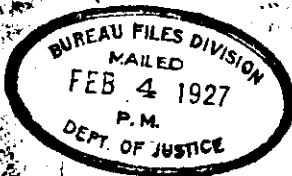
Attached hereto will be found telegram
from Agent in Charge McKean of the Oklahoma
City office, requesting authorization for
Agent Smith to testify in the State case
against Bryan Burkhart, et al.

Will you please advise me if this author-
ization may be granted.

Very truly yours,

Director.

Encl. 20431.



From
Assistant Attorney General Luhning

to

Official indicated below by check mark

2/5/27

Memorandum

- 1
- 2 Attorney General
- 3 Solicitor General
- 4 Assistant to Attorney General
- 5 Assistant Attorney General Galloway
- 6 Assistant Attorney General Marshall
- 7 Assistant Attorney General Willebrandt
- 8 Assistant Attorney General Letts
- 9 Assistant Attorney General Parmenter
- 10 Director, Bureau of Investigation
- 11 Superintendent of Prisons
- 12 Mr. Pagan
- 13 Mr. Finch
- 14 Mr. Baldwin
- 15 Mr. Sornborger
- 16 Mr. Robb
- 17 Mr. Ridgely
- 18 Mr. Parrish
- 19 Mr. Wixson
- 20 Mr. Fisher
- 21 Mr. Ramsey
- 22 Mrs. Story
- 23 Mr. Chase

Of course South
ought to listify
in the Bryan
Thurkhardt case,
but I hope
some way can
be found to protect
them from the
indignities to
which he and white
were subjected
during the South
preliminaries -
Okla City

62-5033-492
RECORDED FEB 8 1927
BUREAU OF INVESTIGATION
FEB 5 1927
Div. Two

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WAM

Okla City
2/7/27 H.L.

Department of Justice
Bureau of Investigation
Washington, D. C.

February 4, 1927.

MEMORANDUM FOR MR. LUHRING

Attached hereto will be found telegram
from Agent in Charge McKean of the Oklahoma
City office, requesting authorization for
Agent Smith to testify in the State case
against Bryan Burkhart, et al.

Will you please advise me if this author-
ization may be granted.

Very truly yours,

J. E. Hoover
Director.

Encl. 20431.

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OKLAHOMA CITY, OKLAHOMA

FEBRUARY 5, 1927.

DIRECTOR,
BUREAU OF INVESTIGATION,
DEPARTMENT OF JUSTICE,
WASHINGTON, D.C.

REGARDING OSAGE MURDER CASES STOP STATE CASE AGAINST BYRON BURKHART SET
FOR TRIAL FEBRUARY TENTH SUBPOENA ISSUED AGENT D W SMITH STOP PLEASE WITH
AUTHORITY SMITH TO TESTIFY

ONE McKEAN

Rec'd & Decoded
7:00 P.M.
*FCS

2447

62-5083-492

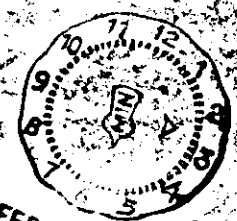
W.D. HO KEAN
DEPARTMENT OF JUSTICE
FEDERAL BUILDING
OKLAHOMA CITY OKLAHOMA

RECORDED
FEB 8 1927

FEBRUARY 7 1927

AUTHORIZATION GRANTED AGENT SMITH TESTIFY STATE CASE AGAINST KEAN
BURKHARD

TWO HOOVER



FEB 11 1927

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McK:W.

Department of Justice
Bureau of Investigation

P. O. Box 1535,
Oklahoma City, Oklahoma.
February 3, 1927.

2
62-5033

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

ATTENTION: DIRECTOR ONE.

Dear Sir:-

With reference to your telegram of the 25th ultimo, directing me to communicate with Special Assistant to the Attorney General T. J. Leahy relative to certain investigative work desired by him, I beg to advise that conference was had with Mr. Leahy on the 1st instant.

Mr. Leahy stated that he had been informed that the attorneys for Wm. K. Hale had employed one Henry Mayes, of Pawhuska, Oklahoma, to obtain affidavits from various persons in the Osage tending to show that Hale was innocent of the murder of Henry Roan. These affidavits are intended to be made the basis for a request for a new trial on the ground of newly discovered evidence. Mr. Leahy requested that an Agent be assigned to this matter at once, with a view to learning from whom these affidavits have been secured and establishing if possible the fact that consideration has been paid for same. The evidence which we develop will be used to rebut the affidavits secured by Mayes.

I assume from your wire that I have the authority to make the requested investigation and have already assigned Agent Smith to same.

Yours very truly,

Clarence D. McKean
Clarence D. McKean,
Special Agent in Charge.

FEB 11 1927 RECORDED

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BUREAU OF INVESTIGATION	
FEB 7 1927	
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MCK:W.

Department of Justice
Bureau of Investigation

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FEB 8 1927
BUREAU OF INVESTIGATION
62-5033

P. O. Box 1535,
Oklahoma City, Oklahoma.
February 4, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C. Re: Osage Indian cases.

Dear Sir:- Attention: Director One.

This is to confirm my wire of February 3rd, in which I advised that the State case against Byron Burkhart has been set for trial at Pawhuska, Oklahoma, on February 10th and that a subpoena has been issued for Special Agent Frank S. Smith, and in which I requested that you wire authority for Agent Smith to respond to the subpoena.

Yours very truly,

Clarence D. McKean
Clarence D. McKean,
Special Agent in Charge.

[Handwritten signature/initials]

FEB 8 1927

RECORDED

62-5033-494
BUREAU OF INVESTIGATION
FEB 7 1927 A.M.
DEPT. OF JUSTICE
Div. One
No. Two

2450

Department of Justice

Bureau of Investigation

62-5033

McK:W.
70-53-5.

P. O. Box 1535,
Oklahoma City, Oklahoma.
February 4, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C. ATTENTION DIVISION TWO.

Dear Sir:

Re: Murder of Charles Whitehorn.

Reference is had to my letter of the 24th ultimo, inviting attention to the above noted matter and requesting to be advised whether you desired me to proceed with investigation of the murder of Charles Whitehorn.

In a conference had with Special Ass't. to the Attorney General T. J. Leahy and Mr. J. M. Humphreys, Usage Tribal Attorney, on the first instant, this matter was discussed at some length. Mr. Leahy requests that this investigation be given attention at an early date.

I would, therefore, thank you to advise me of your wishes in the matter, at your earliest convenience.

Yours very truly,

Clarence D. McKean
Clarence D. McKean,
Special Agent in Charge.

*Reply
2/11/27
[Signature]*

FEB 11 1927

RECORDED

62-5033-495	
BUREAU OF INVESTIGATION	
FEB 7 1927 A.M.	
Div Two	FILE

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5 HH:GAJ

6 62-5033 - 495

7 February 9, 1927.

8 FEB 11 1927

9 Mr. C. D. McKean,
10 P. O. Box 1535,
11 Oklahoma City, Okla.

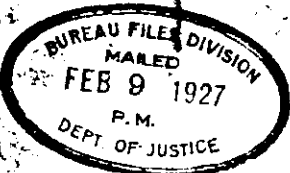
12 Dear Sir:

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16 Receipt is acknowledged of your
17 communication of February 4th, requesting
18 Bureau reply in the matter of the murder of
19 Charles Whitehorn.

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21 Authorization to conduct the in-
22 vestigation in question was transmitted to
23 you from the Bureau under date of February
24 3rd.

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Very truly yours,

Director.



McK:W.

P. O. Box 1535,
Oklahoma City, Oklahoma.

February 7, 1927

Mr. B. G. Hancock,
P. O. Box 1044,
Omaha, Nebraska.

62-5033

Dear Sir: Re: Ray, W. G. vs. John Ramsey and
W. K. Hale - State Murder
cases.

This is to confirm my wire of even date, as follows:

"Please wire immediately date L F Pock number twelve
six naught seven received Iowa State Penitentiary
place convicted and date discharged. Also ascertain whether
or in custody prior commitment State Penitentiary. Probably
was in jail Council Bluffs. Stop. Important ascertain where
Subject was during entire year nineteen twenty three. Forward
Bertillon photograph and certified copy incarceration record
State Penitentiary and Pottawattamie County Jail."

At Oklahoma City, in October, 1926, John Ramsey and
W. K. Hale were convicted of murder and were sentenced to life
imprisonment in the United States Penitentiary at Leavenworth, where
they are now confined. These defendants recently filed a motion for
a new trial on the ground of newly discovered evidence. Among the
affidavits in support of the motion was one made by L. F. Pock,
concerning incidents alleged to have occurred while he was at Shidler,
Oklahoma, during the spring and summer of 1923.

It has been ascertained that sometime in 1923, at
Council Bluffs, Iowa, Pock was sentenced to serve five years in the
Iowa State Penitentiary and that he was received at the Penitentiary
under their number, 12607. In all probability, Pock was confined
in jail at Council Bluffs prior to his commitment to the Penitentiary.

It is desired, if possible, that you secure evidence
to impeach his affidavit, by showing that he was not in Shidler,
Oklahoma, at any time during the year 1923, but was in fact at Council
Bluffs. It is requested that you secure certificates from the proper

FEB 15 1927

RECORDED & INDEXED

62-5033-49
BUREAU OF INVESTIGATION
FEB 11 1927
Doc. Two

2453

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0 authorities showing his confinement in Council Bluffs and
1 his confinement in the Iowa State Penitentiary.
2

3 The necessity for immediate action is obvious
4 from the fact that arguments on the motion for the new trial
5 will be heard at Kansas City, Missouri, on Monday, February
6 14th.
7

8
9 Yours very truly,
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11 *Clarence D. McKean*

12 Clarence D. McKean,
13 Special Agent in Charge.
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17 cc: - Bureau
18 Attention-2, ✓
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McK:W.
66-1

Department of Justice
Bureau of Investigation

P. O. Box 1535,
Oklahoma City, Oklahoma.
February 8, 1927.

RECORDED

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

PERSONAL AND CONFIDENTIAL. BUREAU OF INVESTIGATION

62-5033-48	
FEB 12 1927	
DEPARTMENT OF JUSTICE	
110-078	FILE

FEB 14 1927

Dear Sir:-

ATTENTION DIRECTOR ONE.

With reference to your letters of the 22nd and 29th ultimo, concerning the presence of John Mayo at Tulsa, Oklahoma, at which place Mayo escaped from the custody of State authorities, I beg to advise that I have conferred with Special Assistant to the Attorney General Edwin Brown, who advised me that John Mayo, who was serving sentence in the Kansas State Penitentiary at Lansing, Kansas, was used as a witness before the Federal Grand Jury which returned indictment against W. K. Hale and John Ramsey in the Osage Indian Murder case at the January, 1926, term of the Grand Jury at Guthrie, Oklahoma, at which time Mayo was brought from the Kansas Penitentiary to Guthrie on a writ of habeas corpus ad testificandum.

Mr. Brown stated that after the Grand Jury adjourned, Mayo was returned to the Kansas Penitentiary but that it was later found that Mayo was needed in the trial of Ernest Burkhardt in the State Court at Pawhuska, Oklahoma, for participation in the murder of W. E. Smith and family, one of the so-called Indian murders, and that as the Oklahoma State authorities were unable to have Mayo produced as a witness, arrangements were made with the Governor of Kansas and the Warden of the State Penitentiary whereby Mayo was brought to Pawhuska at the expense of Osage County, in order that he might be used in the trial of the State case, as indicated, the counsel for the Government in the Indian cases joining with the Osage County authorities and the Attorney General of Oklahoma in requesting this arrangement.

Mr. Brown also stated that after the trial of Burkhardt, it was found that Mayo would be needed in connection with the trial of the Hale-Ramsey case at Guthrie, and for that reason a further arrangement

Mr. Burkhardt
2-11-27
[Signature]

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:-Director One.

was made with the Warden of the Kansas Penitentiary for keeping Mayo in Oklahoma until both the Oklahoma State authorities and the Federal authorities in this District no longer needed him in connection with the Indian cases. Also, that Mayo was kept in Oklahoma under said arrangements, in custody of the State authorities and at the expense of Osage County, and that Mayo was taken from the Osage County Jail at Pawhuska to the County Jail at Tulsa, Oklahoma, because of serious difficulties that arose between Mayo and other prisoners in the Pawhuska Jail, as a result of which it was feared that Mayo might do bodily harm to other prisoners. Mr. Brown advised that the Warden of the Kansas Penitentiary agreed to the removal of Mayo from Pawhuska to Tulsa, which was therefore arranged and effected sometime prior to the Hale-Ramsey trial at Guthrie.

He further stated that Mayo was therefore kept in the Tulsa County Jail and was taken from Tulsa to Guthrie for the Hale-Ramsey trial and then returned to Tulsa; that he was later brought from Tulsa to Oklahoma City at the time of the Hale-Ramsey trial here which resulted in a conviction, after which Mayo was again returned to Tulsa, as it was expected that he would be needed in the trial of the State case vs. Byron Burkhart (now set for trial at Pawhuska on the 10th instant), and as Mayo would also again be needed by Federal authorities in the event of a new trial in the Hale-Ramsey case which is now pending on motion for a new trial, which, if denied, will probably be appealed. Mr. Brown also advised that the County Attorney of Osage County notified the Warden of the Kansas Penitentiary of Mayo's recent escape and his subsequent apprehension and that the Warden stated that it would be perfectly satisfactory with him for Mayo to be kept in Oklahoma until both the Federal and State authorities were through with him.

Mr. Brown stated that while Mayo did not testify in the Hale-Ramsey trial at Oklahoma City, yet he was of material assistance to the Government in the trial of the case through information furnished by him on various points that arose during the progress of the trial.

In the event that any further information relative to this matter is desired, please so advise me.

Yours very truly,

Clarence D. McKean
Clarence D. McKean,
Special Agent in Charge.

2456

JHE:HO:2

FEB 14 1927

62-5033-497

February 11, 1927.

RECORDED & INDEXED

MEMORANDUM FOR MR. LUBRING.

62-5033

I am attaching hereto, for your information, a copy of a communication dated February 8, 1927, from my Special Agent in Charge at Oklahoma City, relative to the escape of John Mayo from the Tulsa County Jail. You requested me to obtain certain information as to the reason why Mayo was at Tulsa and I believe the enclosed letter will furnish you with the information desired.

Very truly yours,

Encl.

Director.

BUREAU FILES DIVISION
 MAILED
 FEB 11 1927
 P.M.
 DEPT. OF JUSTICE

2457

JRG:G

P. O. Box 1044
Omaha, Nebraska.

62-5033

February 11, 1927.

Mr. C. D. McKean,
P. O. Box 1535,
Oklahoma City, Oklahoma.

Dear Sir:-
Re: U. S. vs. John Ramsey and
W. K. Hale - Caga Murder
Cases.

Reference is made to your letter of February 9, 1927,
entitled as above. Certified copy of L. F. Pock's incarceration
record at Ford Madison, Iowa, in State Penitentiary there,
was mailed you yesterday, under name of L. F. Pock, Violation
Motor Vehicle Theft Act, I presuming this was a reopening of
former case of Subject Pock. Subject's Photograph and description
was also enclosed.

Enclosed please find Pock's incarceration record while
confined in the Pottawattamie County, Iowa, Jail.

Trusting this will be of benefit to you,

Very truly yours,

E. G. Hancock
Special Agent in Charge.

CC, - Bureau ✓
Attention-2.

RECORDED

FEB 24 1927

62-5033-498

BUREAU OF INVESTIGATION	
FEB 14 1927 P. M.	
DEPARTMENT OF JUSTICE	
Div. Two	FILE

2458

POSTAL TELEGRAPH - COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT

RECEIVED AT

DELIVERY NO.

TELEGRAMS
TO ALL
AMERICA



CABLEGRAMS
TO ALL
THE WORLD

This is a fast Telegram unless otherwise indicated by signal after the number of words—“*Day*” (Day Letter) “*N.L.*” (Night Letter) or “*Nite*” (Night Telegram)

STANDARD TIME INDICATED ON THIS MESSAGE

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DIRECTORS BUREAU OF INVESTIGATION

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DEPT OF JUSTICE WASHINGTON DC

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REGARDING OSAGE CASES HALES MOTION FOR NEW TRIAL OVERRULED

TWO

MCKEAN.

62-5033

RECORDED

FEB 17 1927

62-5033-49
BUREAU OF INVESTIGATION
FEB 15 1927 A.M.
DEPARTMENT OF JUSTICE
Div. Two

rec'd 5:40 pm

[REDACTED SECTION]

[REDACTED SECTION]

2459

Department of Justice

Bureau of Investigation

P. O. Box 1535,
Oklahoma City, Oklahoma,
Feb. 14, 1927.

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Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

ATTENTION DIVISION #2.

Dear Sir:

Confirming my telegram of even date, I beg to advise that I have just received a telegram from Mr. Edwin Brown, from Kansas City, Kansas, in which he advises that Judge Pollock has just overruled the motion of W. K. Hale for a new trial.

Very truly yours,

Clarence D. McKean
Clarence D. McKean,
Special Agent in Charge.

FEB 17 1927

RECORDED

FEB 18 1927

62-5033-500
BUREAU OF INVESTIGATION
FEB 17 1927
DEPARTMENT OF JUSTICE
FILE

2460